IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

and
THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NO : 358 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 03/08/2004 in WP NO : 23086 OF 2003 on the file of the High Court.)

Between:

1. The General Manager, The Singareni Collieries Company Limited, Srirampur Area, Adilabad District.
2. The Managing Director, The Singareni Collieries Company Limited, Kothagudem, Khammam District.
3. The Medical Superintendent, SRP (P), The Singareni Collieries Company Limited, Srirampur Division, Adilabad District.

..... APPELLANTS

AND

Sri L. Ram Narayana, O/o. Divisional Engineer, Workshop, Singareni Collieries Company Limited, Srirampur Area, Adilabad District.

.....RESPONDENT

Counsel for the Appellants: MR.K.SRINIVASA MURTHY

Counsel for the Respondent : MR.D.LINGA RAO

The Court made the following :

JUDGMENT (Per the Honourable Smt.Justice T.Meenakumari)

This writ appeal is preferred by the respondents-appellants against the order passed in W.P.M.P.No:28963 of 2003 and W.V.M.P.No:400 of 2004 in W.P.No:23086 of 2003 on 3.8.2004 by the learned single Judge.

In W.P.M.P.No:28963 of 2003, by an order dated 3.11.2003, the learned single Judge has suspended the order issued by the Medical Superintendent, Singareni Collieries Company Limited and directed the respondents-appellants to continue the writ petitioner in service. As against the same, on the petition filed by the respondents-appellants in

W.V.M.P.No:400 of 2004, the learned single Judge has dismissed the said application. Having aggrieved by the same, the present writ appeal is preferred by the respondents-appellants.

Heard the learned counsel.

We have perused the material available on record. The letter issued by the 3rd respondent who is the Medical Superintendent of Singareni Collieries Company Limited and the consequential letter issued by the 1st appellant-General Manager have been challenged in the main writ petition. At the time of admitting the writ petition, the learned single Judge while suspending the order issued by the 3rd appellant, directed the appellants to continue the petitioner in service. As against the said order, the appellants have filed a vacate stay petition and the said vacate stay petition was dismissed by the learned single Judge. Since the present appeal is preferred against an interlocutory order, in case of any finding by this Court in that regard, it may touch the very merits of the main writ petition. Therefore, We feel that it is desirable to direct the writ petition to be posted for final hearing at an earliest point of time.

Hence, We do not find any merits in this appeal and the same is liable to be dismissed.

In the result, this writ appeal is dismissed. However, the Office is directed to post the writ petition for final hearing on 5th of September, 2005.

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Justice T.Meenakumari

Dated:13th June, 2005

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Justice P.Lakshmana Reddy

Gurc.

Copy to:

1. The General Manager, Singareni Collieries Company Limited,
   Srirampur Area, Adilabad District.
2. The Managing Director, Singareni Collieries Company Limited,
   Kothagudem, Khammam District.
3. The Medical Superintendent, SRP (P), Singareni Collieries Company Limited,
   Srirampur Division, Adilabad District.

4. One copy to the Writ filing Section, High Court of A.P., Hyderabad.

5. The Section Officer, Posting Section, High Court of A.P., Hyderabad.

6. Two C.D. Copies